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MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi-1, the 23rd August, 1958/1Bhadra, 1880

S.O. 1736.--The following order made by the President on 12th August 1958, is published for general information:—

ORDER

In pursuance of clause (3) of Article 77 of the Constitution of India, the President is pleased to make the following order with effect from the 12th August, 1958, (Shravana 21, 1880 Saka), namely:—

- (1) The Ministry of Law shall be split up into two separate departments to be called the Legal Affairs Department and the Legislative Department;
- (2) The Legal Affairs Department shall deal with all the work mentioned in List 'A'; and
- (3) The Legislative Department shall deal with all the work mentioned in List 'B'.

(Sd.) RAJENDRA PRASAD,
President of India.

LIST 'A'

- (1) Advice to Ministries on legal matters, including interpretation of laws, legal proceedings and conveyancing.
- (2) Attorney General of India, Solicitor General of India, and other Central Government Law Officers, Law Officers of States whose services are shared by the Ministries of the Government of India.
- (3) Conduct of cases in the Supreme Court on behalf of the Central Government and on behalf of the Governments of the States participating in the Central Agency Scheme.
- (4) Reciprocal arrangements with foreign countries for the service of summons in civil suits, for the execution of decrees of civil courts, for the enforcement of maintenance orders, and for the administration of the estates of foreigners dying in India intestate.
- (5) Authorization of officers to execute contracts and assurances of property on behalf of the President under Article 299 (1) of the Constitution, and authorization of officers to sign and verify plaints or written statements in suits by or against the Central Government.
- (6) Central Legal Service.
- (7) Treaties and agreements with foreign countries in matters of civil law.
- (8) Elections to Parliament, to the legislatures of States, to the offices of President and Vice-President, the Election Commission.

(9) Enlargement of the jurisdiction of Supreme Court and the conferring thereon of supplemental powers; persons entitled to practise before the Supreme Court; references to the Supreme Court under Article 143 of the Constitution of India.

(10) Persons entitled to practise before High Courts.

(11) Admiralty jurisdiction.

(12) Income-tax Appellate Tribunal.

(13) Special tribunals constituted under the Criminal Law Amendment Ordinance, 1943.

LIST 'B'

(1) The drafting of Bills, including the business of the Draftsmen in Select Committees; drafting and promulgation of Ordinances and Regulations; enactment of State Acts as President's Acts whenever required; scrutiny of Statutory Rules and Orders.

(2) Constitution Orders.

(3) Publication of Central Acts, Ordinances and Regulations; translation of Central Acts and Ordinances into Hindi.

(4) Compilation and publication of unrevoked Central Acts, Ordinances and Regulations, of general Statutory Rules and Orders, and other similar publications.

(5) Law Commission.

The following subjects, which fall within List III of the Seventh Schedule to the Constitution of India (as regards legislation only).

(6) Marriage and divorce; infants and minors; adoption; wills, intestacy and succession; joint family and partition.

(7) Transfer of property other than agricultural land, registration of deeds and documents.

(8) Contracts, but not including those relating to agricultural land.

(9) Actionable wrongs.

(10) Bankruptcy and insolvency.

(11) Trusts and Trustees, Administrators-General and Official Trustees.

(12) Evidence and Oaths.

(13) Civil Procedure including limitation and arbitration.

(14) Legal profession.

(15) Charitable and religious endowments and religious institutions.

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B. N. JHA, Secy.